

Minutes of a Town Council meeting held on April 4th, AD 2013 at 7:00 o'clock PM in the Town Council Chambers, Town Hall, 40 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Absent: Richard S. Humphrey, Town Solicitor. Also present: Tom Dunn, Business Manager and Fire Chief Petrin.

Pledge to the Flag.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 21, 2013 Town Council meeting minutes.

Announcements:

- 1. Anyone interested in serving on the Beach Commission or the Budget Committee must complete a Declaration Form in the office of the Town Clerk prior to April 30, 2013 at 4 PM.**
- 2. The Town advertised to receive bid proposals for auditing services, within the specifications of the bid package it stated that the proposals would be received and opened during this meeting. This item was not included within the posted agenda. The following was voted by unanimous consent:**

A motion was made by Councilor Mushen, receiving a second by

Councilor Mataronas, unanimously voted by all Councilors: To add to this evenings agenda under New Business #2 the receipt of bid proposals for auditing services. Further information for referral will take place at that time.

3. The Beach Special Area Management Plan is being kicked off at a special meeting held at the University of Rhode Island tonight. The Town is being represented by Michael Hudner and Donald Gomez.

At 7:05 PM the Town Council President called to order a Public Hearing for the purpose of obtaining citizens' views of proposed activities to be included within an application for the 2013 Community Development Block Grant Program as follows:

The Town of Little Compton is preparing to submit a Community Development application to request up to \$200,000 to undertake the following activities:

1) Public Facility: Provide funding to purchase a van to transport the elderly residents of Little Compton.

Amount: \$ 47,785

2) Public Service: Provide support to the St. Elizabeth's Community Cornerstone Adult Services' Nancy Brayton Osborn Adult Day center that provides adult day health services to frail elders and adults with disabilities and those with Alzheimer's disease and related dementia.

Amount: \$ 5,000

3) Public Services: Support for the Women's Resource Center of Newport and Bristol Counties to provide counseling and advocacy services to victims of domestic violence.

Amount: \$ 5,000

4) Public Facility: Provide funding for East Bay Community Action Program to its health and dental services that are provided to low income, uninsured and underinsured residents of Newport County at its facility in Newport's North End.

Amount: \$5,000

5) Public Service: Provide operating support for the Community Housing Resource Board/Housing Hotline of Newport County to provide housing counseling, referral services, and education and outreach to affirmatively further Fair Housing in Newport County.

Amount: \$ 1,300

6) Economic Development: Provide funding to Social Venture Partners Rhode Island (SVPRI) to expand the online micro enterprise incubator into Newport County. SVPRI will also work with Church Community Housing Corp. to develop and implement a micro enterprise loan fund. Amount: \$1,500

7) Housing Operating: Provide support to Church Community Housing Corporation for costs for Residential Rehabilitation loans, RI Housing Loan programs, Homeowners Assistance, and Homebuyer Training programs.

Amount: \$ 12,500

8) Housing Operating; Provide operating support to the Community Housing Land Trust of RI for technical assistance, training and

monitoring of affordable housing units.

Amount: \$ 3,000

9) Town Administration:

Amount: \$ 1,000

Christian Belden of Church Community House Corporation reviewed for those present the listed proposed activities. Ms. Susan Schenck of East Bay Community Action Program and Ms. Gerri Manning of Cornerstone Adult Services, Inc. were present to answer any questions the Council may have had regarding their requests.

Councilor Mushen wondered if the Council should consider reducing the amount requested for the van purchase due to the fact that LC Community Center and the Wellness Center are both in negotiations to assist in a joint purchase of a van. It was noted that a reduced figure with a matching funds proposal may have a better chance of a grant award. The Council President will supply Mr. Belden with specifics found in the transportation study conducted by the Wellness Center to assist in his development of a synopsis of the proposal for the application.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): Receiving no further public comments the Community Development Block Grant Program Public Hearing is hereby closed.

Motion made by Councilor Mataronas, receiving a second from Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolution, which prioritizes and sets forth proposed activities to be included within an application as follows:

WHEREAS, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and

WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said Department/Office to disburse such funds; and

WHEREAS, it is in the interest of the citizens of the Town of Little Compton that application be made to undertake a local Community Development Block Grant Program.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE COMPTON That the filing of the following application for the amount of \$59,300 to implement the activities proposed herein hereby authorizes and that Robert L. Mushen, Chief Executive Officer, is hereby authorized and directed to file said application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and

to otherwise act as the Representative of the Town of Little Compton in all matters relating to this application and any award which may be based upon the application activities prioritized and listed as follows:

The Town of Little Compton is preparing to submit a Community Development application to request up to \$200,000 to undertake the following activities:

1) Public Facility: Provide funding to assist in the purchase of a van to transport the elderly residents of Little Compton.

Amount: \$ 25,000

2) Public Service: Provide support to the St. Elizabeth's Community Cornerstone Adult Services' Nancy Brayton Osborn Adult Day center that provides adult day health services to frail elders and adults with disabilities and those with Alzheimer's disease and related dementia.

Amount: \$ 5,000

3) Public Services: Support for the Women's Resource Center of Newport and Bristol Counties to provide counseling and advocacy services to victims of domestic violence.

Amount: \$ 5,000

4) Public Facility: Provide funding for East Bay Community Action Program to its health and dental services that are provided to low income, uninsured and underinsured residents of Newport County at its facility in Newport's North End.

Amount: \$5,000

5) Public Service: Provide operating support for the Community

Housing Resource Board/Housing Hotline of Newport County to provide housing counseling, referral services, and education and outreach to affirmatively further Fair Housing in Newport County.

Amount: \$ 1,300

6) Economic Development: Provide funding to Social Venture Partners Rhode Island (SVPRI) to expand the online micro enterprise incubator into Newport County. SVPRI will also work with Church Community Housing Corp. to develop and implement a micro enterprise loan fund. Amount: \$1,500

7) Housing Operating: Provide support to Church Community Housing Corporation for costs for Residential Rehabilitation loans, RI Housing Loan programs, Homeowners Assistance, and Homebuyer Training programs.

Amount: \$ 12,500

8) Housing Operating; Provide operating support to the Community Housing Land Trust of RI for technical assistance, training and monitoring of affordable housing units.

Amount: \$ 3,000

9) Town Administration:

Amount: \$ 1,000

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Maintenance Department Head Report for March 2013.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the Building Official's Department Head Reports for December 2012, January and February of 2013.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the expenditure of \$11,760 to ICM Corporation and \$379,472.40 to ADS Construction, Inc. to be paid out of Bond Anticipation Note funds for the Wilbur-McMahon School Renovation Project.

Councilor Mushen noted that although there are no change orders for consideration this evening that the Building Committee has asked Project Managers to secure estimates to refurbish the double hung windows in the school, and for the replacement of vestibule doors (eight in all). He also noted that he noticed while on a tour of the building recently that there will be opportunities to improve the rooms aesthetically after the renovations are complete. He anticipates working with the non-profit groups such as the LC Education Foundation to secure funding for these types of projects.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file Progress Meeting

Minutes No. 2 and No. 3 for the Wilbur McMahon School Renovation Project.

Mrs. Carolyn Montgomery asked the Councilors to attend a Committee Hearing of the House of Representatives at the State House. A specific date has not been set as of this time, but is anticipated to be a day during the third week of April at the Rise of the House. This Committee Hearing is to receive public input regarding legislation proposed to toll the Sakonnet River Bridge. Another meeting is scheduled this Saturday, April 6th at the Old Ramada Inn in Portsmouth which will be conducted by the RI Bridge Authority. She encouraged the Councilors to attend this meeting as well.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To continue until the April 18, 2013 Council meeting further discussion of the Federal Emergency Management Agencies revisions to the Flood Insurance Rate Map requirements.

Councilor Mushen reviewed a proposed revised Employee Benefits Membership Participation Agreement for Trust Health Pool and/or Trust Dental Pool through the RI Interlocal Risk Management Trust. The revisions alter provisions to reflect the financial stability and structure of the Trust. Councilors were asked to review and return with any comments or questions at the April 18th meeting.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To table until April 18, 2013 further discussion of a proposed revised Employee Benefits Membership Participation Agreement for Trust Health Pool and/or Trust Dental Pool through the RI Interlocal Risk Management Trust.

New Business #2 – added by unanimous consent of the council voted at the beginning of this evenings meeting. Receipt of bid proposals for auditing services.

Councilor Mushen noted that the Business Manager had advertised to receive bids on April 4th for auditing services of Town books and that within the specification for the bid proposals it stated that the bids would be opened at this meeting. Due to the fact that this subject was not listed on the agenda the proposals may only be referred to an individual to be handled. Three (3) proposals were received from the firms of LGC&D LLP, 10 Weybosset St. Providence, RI, Braver PC, 155 South Main St, Ste 100, Providence, RI, and Hague, Sahady & Co., PC, 126 President Ave, Fall River, MA.

Motion made by Councilor Mushen, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To refer to the Town Business Manager three (3) bid proposals received properly by the Town Clerk for auditing

services for the Town from the firms of LGC&D LLP, Braver PC and Hague, Sahady & Co., PC. It is expected that the Business Manager should open the bids and return to the Town Council at its April 18, 2013 meeting for action to be taken at that time.

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolution opposing House Bill 5393:

TOWN OF LITTLE COMPTON

RESOLUTION OPPOSING HOUSE BILL 5393

WHEREAS: RIGL 45-23-53 relates to local regulations for public hearing and notice requirements concerning Subdivision of Land, and

WHEREAS: An Act has been introduced known as House Bill 5393 that would require a Municipal Notice Registry to be created and maintained, and

WHEREAS: RIGL 45-23-53 and RIGL 42-46-6 already requires notice to be given by publication in a paper of general circulation, by annual notice and by supplemental 48 hour notice in paper format within Town and electronically on the Secretary of State's website, and

WHEREAS: the Town of Little Compton has a long standing practice of open government and adheres to the notice provisions required by law, and

WHEREAS: the maintenance of a Municipal Notice Registry could increase liability onto the municipality if any defect in the notice occurs, and burdens the limited municipal staff with an unfunded mandate.

NOW THEREFORE BE IT RESOLVED that the Town of Little Compton hereby requests the General Assembly of the State of Rhode Island to defeat any legislative attempt to create a Municipal Notice Registry; and

BE IT FURTHER RESOLVED that copies of this Resolution be conveyed to Senator Louis DiPalma, Representative Dennis Canario and the RI League of Cities and Towns.

Robert L. Mushen

Town Council President

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolution opposing Senate Bill 0640 and Senate Bill 0672:

TOWN OF LITTLE COMPTON

RESOLUTION OPPOSING SENATE BILLS S0640 & S0672

WHEREAS: Legislative attempts have been made to limit the ability of municipalities to govern within their own city limits, and

WHEREAS: Each community within Rhode Island is unique as it relates to local resources and land development, and

WHEREAS: Little Compton has held a more restrictive regulation regarding wetlands and development, requiring an additional 50 foot requirement beyond the State 50 foot set-back requirement, and

WHEREAS: Each City and Town should be able to manage its own resources, and

WHEREAS: the Town Council of the Town of Little Compton is opposed to Senate Bills S0640 and S0672 as well as any other proposed legislative attempt of similar nature.

NOW THEREFORE BE IT RESOLVED that the Town of Little Compton hereby requests the General Assembly of the State of Rhode Island to defeat any legislative attempt to limit the ability of municipalities to establish local ordinances or regulations that are more restrictive than any State law or State regulation, and

BE IT FURTHER RESOLVED that copies of this Resolution be conveyed to Senator Louis DiPalma, Representative Dennis Canario and the RI League of Cities and Towns.

Robert L. Mushen

Town Council President

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adopt the following resolution opposing Senate Bill 5703:

TOWN OF LITTLE COMPTON

RESOLUTION OPPOSING HOUSE BILL 5703

WHEREAS: The Town of Little Compton has a long history of regulating land development within town to protect our community and its resources, and

WHEREAS: Legislation has been introduced that would allow for building to occur in areas containing excessive slopes, which without impact studies may prove to be detrimental to the area resources, abutting properties or the community resources as a whole, and

WHEREAS: Each City and Town should be able to manage its own resources, and

WHEREAS: the Town Council of the Town of Little Compton is opposed to House Bill 5703 as well as any other proposed legislative attempt of similar nature.

NOW THEREFORE BE IT RESOLVED that the Town of Little Compton hereby requests the General Assembly of the State of Rhode Island to defeat any legislative attempt to limit the ability of municipalities to establish local ordinances or regulations that are more restrictive than any State law or State regulation, and

BE IT FURTHER RESOLVED that copies of this Resolution be conveyed to Senator Louis DiPalma, Representative Dennis Canario and the RI League of Cities and Towns.

Robert L. Mushen

Town Council President

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve a request made by the Armenian National Committee for the Town to fly the Armenian Flag on April 24, 2013 in memory of the Ottoman Turkish government's attempt to eliminate the Christian Armenians through planned Genocide during World War I.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file the consent calendar as follows:

- 1. Thank you note received from the LC Historical Society for the Town's donation in memory of Carlton C. Brownell**
- 2. Copies of Resolutions adopted by the Charlestown, Foster and Middletown Town Councils opposing binding arbitration**
- 3. Copy of a Resolution adopted by the Middletown Town Council opposing mandatory collective bargaining agreements**

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$35,833.11

Home Depot - Public Safety Complex \$41.82

Petro - gasoline \$3,154.56

Petro - 32 Commons \$551.27

Petro - 30 Commons \$291.63

Petro - Diesel \$803.09

Nationalgrid - Street Lights Town Dock \$41.96

Nationalgrid - Street Lights \$23.21

RI Public Works Association - Building Official \$10.00

Postmaster - Treasurer \$184.00

Richard S. Humphrey - Town Solicitor \$3,570.00

Electrical Wholesalers Inc. - Maintenance \$56.04

Paychex of New York LLC - Treasurer \$371.53

Blackboard Inc. - EM funds, Amb. Billing \$2,499.50

Mike Massa - Harbor Management Funds \$160.45

ACS - Town Clerk \$160.50

WB Mason - Town Clerk \$112.50

Direct Energy - Street Lights \$8.56

Direct Energy - Street Lights Town Dock \$9.09

EastBay Newspapers - Highway, Clerk, CDBG \$475.65

EastBay Newspapers - Zoning Board \$166.95

EastBay Newspapers - Auditors \$40.95

EastBay Newspapers - Probate \$60.00

Blackboard Inc. - Drug Forfeiture \$1,249.75

Citizens Bank - Drug Forfeiture \$306.56

Thomas Wood - Drug Forfeiture \$350.00 \$1,906.31

Pitney Bowes - Police Dept. \$126.50 \$126.50

Franlart Nurseries Inc. - Tree Warden \$5,155.00

Matthew Bender & Co Inc. - Council \$90.89

KTR Maintenance & Supply LLC - Public Safety Complex \$1,170.00

Stanley Engineering Inc. - Assessors \$366.00

Vision Government Solutions - Assessors \$4,900.00

Denise Cosgrove - Assessors \$44.07

LGCD - Auditors \$3,900.00

Northeast Rescue Systems - Amb. Reimbursement Fund \$306.00

Robs Auto Care Inc. - Amb. Reimbursment Fund \$37.50

Fire Protection Services Inc. - Amb. Reimbursement Fund \$290.60
Pioneer Heavy Duty Parts - Amb. Reimbursement Fund \$75.30 \$709.40
KTR Maintenance & Supply LLC - Fire Dept. \$287.87
IAFC - Fire Dept. \$239.00
Sakonnet Plumbing & Heating Inc. - Fire Dept. \$99.00
Belmont Springs - Fire Dept. \$21.26 \$647.13
Dave Venancio - Inspectors \$810.00
Wilbur's General Store - Town Hall \$20.37
Wilbur's General Store - Maintenance \$18.08
East Bay Comm. Action Program - St. Asst. Counselor \$2,381.10
William L Moore - Highway \$195.00
William L Moore - Inspections \$600.00

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 7:50 PM.

Carol A Wordell
Town Clerk